REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-33 and 46-51 are presented for examination. No claims have been amended, added, or canceled. Therefore, claims 1-33 and 46-51 are presented for examination.

Examiner maintained the rejection of claims 1-33 and 46-51 under 35 U.S.C. §103(a) as being unpatentable over WO 00/72534 A1 (Rabe-Hesketh et al) and WO 01/01663 A1 (Gabrielsson et al).

As correctly stated in the Office action, Rabe-Hesketh fails to disclose or suggest that the removing of a particular attachment is "responsive to identifying the particular attachment as exceeding capabilities of an intended recipient's receiving device," as recited in claim 1. The Office action combined Rabe-Hesketh with Gabrielsson to show this feature.

Gabrielsson is directed at a method of organizing incoming electronic messages for a user who can access her messages via at least two different types of access environments. Gabrielsson states:

> If the user has comparatively powerful access environment at his/her disposal, e.g. a MUA (Mail User Agent) client on a workstation 135 communicating with the interfacing unit 170 over an Ethernet 130, the user can readily access any of the messages 101, 113a, 113b or 113c. However, if the user currently has a less capable access environment, like a PC-palm-based client on a mobile terminal 145 connected to the interfacing means 170 via a radio link 140, a MUA client on a laptop 155, which communicates over a modem link 150 or a MUA client on a desktop PC with an ISDN-connection to the interfacing means 170, the user should rather choose to access one of the processed electronic message 113a – 113c. For each type of access environment 130 – 165 there is a message version 102, 113a, 113b or 113c which is optimal with respect to the bandwidth and capabilities of that particular access environment.

(Gabrielsson, page 9, lines 3-17, emphasis added).

The Examiner, in the "Response to Arguments" on pages 7-8 of the application

states that

> The Examiner notes that the claim language indicates dynamically detecting the recipient's receiving device. This is clearly taught by Gabrielsson because Gabrielsson allows users to request and access email from different devices and recognize each device dynamically. It would have been well-known in the art that content negotiation (as described in Internet Standard IETF RFC Document 2616 – Hypertext Transfer Protocol, Section 12 – Content Negotiation and Section 14- Accept, Section 14.43 – User Agent) is performed as part of establishing communications between a server and a client device, wherein said content negotiation establishes the rendering capabilities of the client device requesting data from the server. The USER-AGENT field is used for automated recognition of user agents for the sake of tailoring responses to avoid particular user agent limitations. Thus, in dynamically detecting a recipient's receiving device, Gabrielsson is also able to determine the maximum rendering capabilities of said receiving device, and is able to reformat the e-mail attachment accordingly.

Applicants respectfully disagree. Gabrielsson specifically states that:

> A user may thus readily gain access to an original electronic message or a desired processed version of the message simply by opening the corresponding folder 102 respective 121a, 121b or 121c and browse through its structure.

(Gabrielsson, page 9, lines 24-28). Thus, Gabrielsson does not recognize a

device, but rather receives a user selection of format via a folder, and continues:

> Instead, the folders 121a, 121b, and 121c may represent the possibility of having an electronic message processed in a certain way. For instance, the folder 121a may represent filtering away any colour components, the folder 121b may correspond to having any voice components converted into text messages and the folder 121c may involve thinning any pictures to a mere picture reference. The actual processing does then not occur until the user opens one of the folders 121a – 121c and indicates that he/she wants to access a message, which has been processed according to a specific rule, such as one of those described above.

(Gabrielsson, page 10, lines 4-14, emphasis added).

Therefore, Gabrielsson does not dynamically detect the recipient's receiving

device. Rather, Gabrielsson presents folders to the user, and the user chooses the

proper format. Therefore, in Gabrielsson there is no need, or utility, for detecting the recipient's receiving device. Secondly, Gabrielsson does not "determine the maximum rendering capabilities of the device," as suggested by the Examiner. Rather, Gabrielsson permits the user to choose the format for display. Therefore, Gabrielsson specifically eliminates the utility of detecting a format, because Gabrielsson prompts the user to select the appropriate folder, which displays a wished-for format. In fact, modifying Gabrielsson to incorporate such detection would fundamentally alter the function of Gabrielsson.

In contrast, claim 1, as amended, recites in part "detecting capabilities of an intended recipient's receiving device, wherein the detecting is performed dynamically, during a request from the intended recipient to retrieve the particular message." Thus, Gabrielsson, whether considered separately or in combination with Rabe-Hesketh, fails to disclose or suggest "removing of a particular attachment" "detecting capabilities of an intended recipient's receiving device, wherein the detecting is performed dynamically, during a request from the intended recipient to retrieve the particular message," as recited in claim 1.

Because the combination of Gabrielsson and Rabe-Hesketh fails to disclose or suggest each and every element of claim 1, claim 1, its dependent claims 2-25 are patentable and should be allowed.

Claim 26 recites in part "detecting capabilities of an intended recipient's receiving device, wherein the detecting is performed dynamically, during a request from the intended recipient to retrieve the message." As noted above with respect to claim 1, Rabe-Hesketh in combination with Gabrielsson not only does not teach or suggest such

detection, but rather directly teaches away from dynamic detection. Therefore, Applicants respectfully submit that claim 26, and claims 27-33 which depend on it, are not obvious over the combination of Gabrielsson and Rabe-Hesketh.

Claim 46 recites in part "detecting capabilities of the target device, wherein the detecting is performed dynamically, during a request from the recipient to retrieve the e-mail message." As noted above with respect to claim 1, Rabe-Hesketh in combination with Gabrielsson not only does not teach or suggest such detection, but rather directly teaches away from dynamic detection. Therefore, Applicants respectfully submit that claim 46, and claims 47-50 which depend on it, are not obvious over the combination of Gabrielsson and Rabe-Hesketh.

Claim 51 recites in part "detecting capabilities of an intended recipient's receiving device, wherein the detecting is performed dynamically, during a request from the intended recipient to retrieve the particular message." As noted above with respect to claim 1, Rabe-Hesketh in combination with Gabrielsson not only does not teach or suggest such detection, but rather directly teaches away from dynamic detection. Therefore, Applicants respectfully submit that claim 51is not obvious over the combination of Gabrielsson and Rabe-Hesketh.

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.
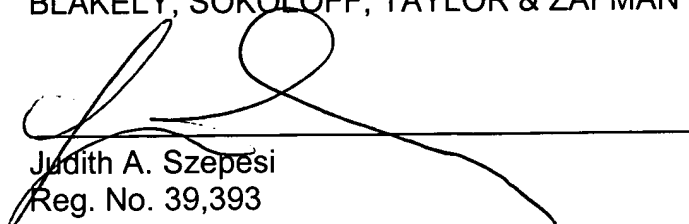
If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

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